

Message Text

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47 L

ACTION EUR-25

INFO OCT-01 ISO-00 SSO-00 NSCE-00 INRE-00 USIE-00 NSC-07

SS-20 CIAE-00 INR-11 NSAE-00 RSC-01 L-03 PM-07 DODE-00

SAM-01 SAJ-01 PRS-01 DRC-01 /079 W

----- 019182

O 141212Z SEP 74

FM USMISSION BERLIN

TO SECSTATE WASHDC IMMEDIATE 3981

INFO AMEMBASSY BONN IMMEDIATE

AMEMBASSY MOSCOW IMMEDIATE

CICEUR FOR POLAD & OPS IMMEDIATE

CINCUSAREUR FOR POLAD, OPS & AEAGC-OCO IMMEDIATE

CINCUSAFE FOR POLAD & OPS IMMEDIATE

USELMLO IMMEDIATE

AMEMBASSY LONDON

USMISSION NATO

C O N F I D E N T I A L BERLIN 1602

C O R R E C T E D COPY (MOSCOW ADDED AS INFO ADDEE)

E.O. 11652: GDS

TAGS: PROV, NOPS, WB, GE

SUBJECT: SOVIET DETENTION OF US SOLDIER

REF: A) BERLIN 1591; B) BERLIN 1594

1. IN VIEW OF INDICATION WE WERE NOT TO EXPECT ANY
SOVIET ACTION ON MEDLEY BEFORE NEXT WEEK (REF B),
AMBASSADOR INSTRUCTED THAT FOLLOWING LETTER BE
DELIVERED NOON SEPTEMBER 14 TO AMBASSADOR YEFREMOV:
BEGIN TEXT: DEAR AMBASSADOR YEFREMOV: AT APPROX-
IMATELY 10:00 P.M. ON SEPTEMBER 10, A MEMBER OF THE
UNITED STATES FORCES IN BERLIN, SPECIALIST FOURTH
CLASS WILLIAM S. MEDLEY, WAS DETAINED IN THE VICINITY OF
THE FRIEDRICHSTRASSE CHECKPOINT WHILE SEEKING TO RETURN
TO THE WESTERN SECTORS FROM THE SOVIET SECTOR IN HIS
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PRIVATE AUTOMOBILE. UNITED STATES PERSONNEL MADE FOUR

ATTEMPTS TO REACH SPECIALIST MEDLEY DURING THE NEXT THREE HOURS, BUT WERE IN EACH CASE PREVENTED FROM DOING SO BY EAST BERLIN GUARDS. AT APPROXIMATELY 1:00 A.M. ON SEPTEMBER 11, SPECIALIST MEDLEY WAS OBSERVED BEING ESCORTED FROM HIS VEHICLE BY SOVIET MILITARY PERSONNEL. WE HAVE SINCE BEEN INFORMED BY YOUR EMBASSY THAT HE IS IN SOVIET CUSTODY IN BERLIN.

ON SEPTEMBER 11 THE PROTOCOL OFFICER OF THE UNITED STATES MISSION CALLED ON MR. ADOMAITIS AND MR. ROMANOVSKIY OF YOUR EMBASSY TO PROTEST THE DETENTION OF SPECIALIST MEDLEY AND TO ASK THAT HE BE IMMEDIATELY RELEASED INTO THE CUSTODY OF THE UNITED STATES AUTHORITIES. THE SOVIET PROTOCOL OFFICER REPLIED THAT MEDLEY HAD COMMITTED "SERIOUS CRIMES" AGAINST THE GERMAN DEMOCRATIC REPUBLIC, AND THAT HE COULD NOT BE TURNED OVER TO THE UNITED STATES AUTHORITIES AS REQUESTED. A FURTHER APPROACH, BY THE UNITED STATES POLITICAL ADVISER TO MR. BURDAKIN OF YOUR EMBASSY, ON SEPTEMBER 12, MET WITH SIMILAR RESPONSE.

THE APPREHENSION AND DETENTION IN EAST BERLIN OF SPECIALIST MEDLEY REPRESENT A SERIOUS VIOLATION OF THE RIGHTS AND STATUS OF THE UNITED STATES FORCES IN BERLIN. IN PARTICULAR, THE RIGHT OF ANY MEMBER OF THOSE FORCES TO FREE AND UNHINDERED CIRCULATION THROUGH GREATER BERLIN - A RIGHT EXERCISED UNDER THE GUARANTEE OF THE SOVIET AUTHORITIES - HAS BEEN VIOLATED. I CANNOT ACCEPT THE CONTENTION MADE BY OFFICERS OF YOUR EMBASSY THAT A MEMBER OF THE UNITED STATES FORCES IS SUBJECT TO ARREST OR DETENTION IN EAST BERLIN FOR VIOLATION OF GERMAN DEMOCRATIC REPUBLIC LEGISLATION. IN THE EVENT OF SUSPECTED MISCONDUCT BY A MEMBER OF THE UNITED STATES FORCES WHILE IN EAST BERLIN THE MEMBER MUST BE PROMPTLY RETURNED TO THE CONTROL OF THE UNITED STATES AUTHORITIES AND EVIDENCE IN THE MATTER MADE AVAILABLE TO THOSE AUTHORITIES TO FACILITATE A THOROUGH INVESTIGATION OF THE ALLEGED INFRACTION. DISCIPLINARY MEASURES AGAINST MEMBERS OF THE UNITED STATES FORCES ARE SOLELY WITHIN UNITED STATES COMPETENCE. PROVEN VIOLATORS OF UNITED STATES FORCES REGULATIONS ARE DEALT WITH APPROPRIATELY.

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I WOULD BE GRATEFUL IF, IN KEEPING WITH OUR AGREEMENTS AND PAST PRACTICES, YOU WOULD MAKE ARRANGEMENTS FOR THE IMMEDIATE RETURN OF SPECIALIST MEDLEY TO UNITED STATES CONTROL. /S/ MARTIN J. HILLENBRAND. END TEXT.

2. LETTER WAS DELIVERED TO SOVIET EMBASSY DUTY OFFICER (COINCIDENTALLY BURDAKIN), WHO SAID THAT HE HAD RECEIVED

NO FURTHER INSTRUCTIONS RE MEDLEY CASE BUT THAT MISSION
PROTOCOL OFFICER WOULD BE IMMEDIATELY CONTACTED WHEN
SOVIETS HAD SOMETHING TO REPORT.

3. EARLIER US DEMARCHES RECEIVED ASSIST SEPTEMBER 13
FROM FRENCH POLAD, WHO AFTER CONCLUSION OF OTHER BUSINESS
WITH BURDAKIN (SEPTTEL), SAID THAT FRENCH WERE IN FULL
AGREEMENT WITH THEIR US AND BRITISH ALLIES CONCERNING
SOVIET RESPONSIBILITY FOR MAINTAINING FREE CIRCULATION
WITHIN BERLIN. IN NO CASE, HE STRESSED, COULD MEMBERS
OF ALLIED FORCES BE DETAINED BY GERMANS OR PREVENTED
FROM MAKING CONTACT WITH SOVIET AUTHORITIES. IT WAS
OBLIGATION OF LATTER TO RELEASE IMMEDIATELY ANY PERSON
SO DETAINED. BURDAKIN, IN REPLY, SIMPLY REPEATED WHAT
HE HAD TOLD US POLAD SEPTEMBER 12 (REF A.)

4. USCOB CONCURS.SELIGMANN

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Message Attributes

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Copy: SINGLE
Draft Date: 14 SEP 1974
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: kelleyw0
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
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Disposition Reason:
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Drafter: n/a
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Executive Order: GS
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TAGS: PGOV, MOPS, WB, GC, (MEDLEY, WILLIAM S)
To: STATE
Type: TE
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